

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION

CHERYL E. JAMERSON,
Personal Representative of the
Estate of James E. Jamerson,
Deceased and CHERYL E. JAMERSON,
individually and as the wife
of James E. Jamerson, Deceased

PLAINTIFF

vs.

Civil Case No. 4:08CV00651 HLJ

POPE COUNTY; POPE COUNTY SHERIFF'S
DEPARTMENT; POPE COUNTY DETENTION
CENTER; JAY WINTERS, Pope County
Sheriff; CAPTAIN TERRY BAILEY,
Director of Pope County Detention
Center; LIEUTENANT DANNY SOREY;
OFFICERS SGT. JAMIE GRAY, ERIC
BENEFIELD, CHRIS JOHNSTON, DARRELL
MEARS, PETER HAMILTON and MARK MELTON,
Individually and in Their Official
Capacities, Jointly and Severally

DEFENDANTS

ORDER

The Court has reviewed the Proposed Findings and Recommended
Disposition received from Magistrate Judge Henry L. Jones, Jr.
There have been no objections. The Findings and Recommendations
are adopted in their entirety as this Court's findings, as
clarified in the Magistrate Judge's Order entered on August 26,
2009, and as modified below.

IT IS THEREFORE ORDERED that Plaintiff's Motion to Extend Time
in which to serve process on Defendants Eric Benefield, Chris
Johnston, Peter Hamilton and Mark Melton for sixty days (DE # 15)
is granted nunc pro tunc to January 29, 2009, and Plaintiff is

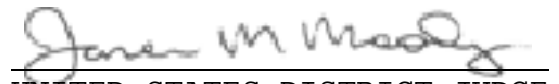
granted thirty days from the date of this order to show why Defendants Eric Benefield and Peter Hamilton should not be dismissed under Rule 4(m) for failure to perfect service.

IT IS FURTHER ORDERED that Plaintiff's Motion to change Proposed Trial Date, to Extend Summons, to Extend discovery and Motion to Change Deadline for Filing Motions (DE # 16) is denied as moot.

IT IS FURTHER ORDERED that Separate Defendants' Motion to Dismiss (DE # 18) is denied as to Defendant Pope County; the Motion is hereby granted as to Pope County Sheriff's Department and Pope County Detention Center.

IT IS FURTHER ORDERED that Plaintiff notify the court no later than September 30, 2009, as to whether, if counsel's motion to be relieved is granted, she has newly retained counsel to represent her in this lawsuit, or if she intends to proceed without counsel.

SO ORDERED this 8 day of September, 2009.


UNITED STATES DISTRICT JUDGE